

# Congress of the United States

Washington, DC 20515

October 1, 2007

The Honorable Nancy Pelosi, Speaker  
U.S. House of Representatives  
H-232, U.S. Capitol Building  
Washington, D.C. 20515

The Honorable Steny H. Hoyer, Majority Leader  
U.S. House of Representatives  
H-107, U.S. Capitol Building  
Washington, D.C. 20515

The Honorable John D. Dingell, Chairman  
U.S. House of Representatives  
2328 Rayburn House Office Building  
Washington, D.C. 20515

Dear Speaker Pelosi, Leader Hoyer and Chairman Dingell:

We write to request that you schedule H.R. 2905, the Broadcaster Freedom Act for immediate consideration on the House Calendar.

We have introduced H.R. 2905, the Broadcaster Freedom Act, which would prohibit the Federal Communications Commission (FCC) from prescribing rules, regulations, or policies that will reinstate the Fairness Doctrine. Over 200 of our colleagues have joined us as cosponsors of this important measure. Additionally, earlier this year the House spoke by a 3 to 1 margin in favor of the Pence Amendment to H.R. 2829, the Fiscal Year 2008 Financial Services and General Government Appropriations Act, preventing the Federal Communications Commission (FCC) from implementing regulations to reinstate the Fairness Doctrine in FY 2008 (Roll Call 599, June 28, 2007). However, since the FY 2008 Financial Services and General Government Appropriations Act has yet to be considered by the Senate, we feel it is important to advance HR 2905 in order to achieve a permanent solution to the extremely troubling Fairness Doctrine.

Due to the lack of clarity in the regulation and in the FCC's rulings, broadcasters often opted not to offer any controversial programming whatsoever rather than risk violating the Fairness Doctrine and being subject to federal fines or risking revocation of their license. H.R. 2905 ensures that true freedom and fairness will remain on our radio airwaves.

The U.S. Supreme Court agrees that the Fairness Doctrine squelches free speech. In 1974, the Court concluded that the Fairness Doctrine inescapably dampens the vigor and limits the variety of public debate in *Miami Herald Publishing Company vs. Torino*. Twenty-three years ago, in *FCC vs. League of Women Voters*, the Court went further and concluded the Fairness Doctrine was limiting the breadth of public debate and as a result the FCC overturned it. However, the Fairness Doctrine could be revived at any time by any Administration. The Broadcaster Freedom Act will prevent the FCC or any future President from reinstating the Fairness Doctrine.

Considering the significance associated with protecting free speech, we respectfully request that you schedule floor action on H.R. 2905 by Friday, October 12, 2007. While we may not always agree with those who are on the air waves, as Members of Congress and freedom-loving Americans, we should never back down from an opportunity to defend their right to speak their piece. We look forward to your response.

Sincerely,

  
Representative Mike Pence  
Representative Greg Walden